

Information on Charging Hate Crimes Under Massachusetts Law

Hate Violence Should Be Charged Under At Least 3 Statutes:

- ⇒ [Hate Crimes Penalties Act, G.L. c.265, Sec. 39;](#)
- ⇒ [Civil Rights Criminal Statute, G.L. c.265, Sec. 37; and a](#)
- ⇒ Generic Criminal Statute, most usually,
 - ▶ Simple Assault or Assault and Battery, G.L. c.265, Sec. 13A
 - ▶ Assault and Battery with Dangerous Weapon, G.L. c.265, Sec. 15A(b)
 - ▶ Mayhem, G.L. c.265, Sec. 14
 - ▶ Assault with Intent to Murder or Maim, G.L. c.265, Sec. 15
 - ▶ Assault with Dangerous Weapon, G.L. 15B(b)

Property Damage With A Bias Motive Violates At Least Two Statutes:

- ⇒ [Hate Crimes Penalties Act, G.L. c.265, Sec. 39; and](#)
- ⇒ One of the Statutes Against Malicious Vandalism:
 - ▶ [Vandalism of Real or Personal Property of Another, G.L. c. 266, Sec. 126A](#)
 - ▶ [Vandalism of Houses of Worship, Cemeteries, Memorials, and Schools, G.L. c.266, Sec. 127A](#)
 - ▶ [Other Vandalism of Intangible or Tangible Personal Property, Residence, or Building of Another, G.L. c.266, Sec. 127](#)

Threats and Harassment Implicate 2 or More Statutes

- ⇒ [Civil Rights Criminal Statute, G.L. c.265, Sec. 37](#)
- ⇒ [Civil Action by Attorney General for Injunction, G.L. c.12, Sec. 11H](#)

- ⇒ [Civil Action by Victim for Injunction and Damages, G.L. c. 12, Sec. 11I](#)
- ⇒ [Criminal Violation of Civil Rights Injunction or Restraining Order, G.L. c.12, Sec. 11J](#)
- ⇒ [Crime of Stalking, G.L. c.265, Sec. 43](#)
- ⇒ [Criminal Harassment, G.L. c.265, Sec. 43A](#)